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| FORM PTO-1390<br>(REV 10-2000)  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |   | ATTORNEY'S DOCKET NUMBER<br>P1735R1  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   |   | <b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b><br><b>09/700806</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/US00/30294   | INTERNATIONAL FILING DATE<br>November 2, 2000           | PRIORITY DATE CLAIMED<br>November 2, 1999 |  |
| TITLE OF INVENTION MODULATION OF eNOS ACTIVITY AND THERAPEUTIC USES THEREOF   |   |   |  |
| APPLICANT(S) FOR DO/EO/US Ben-Quan Shen, Thomas Zioncheck   |   |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |   |  |
| <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |   |   |  |
| <b>Items 11 to 16 below concern document(s) or information included:</b>  |   |   |  |
| <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information:<br/>Petition for Early Filing Date Under 35 U.S.C. § 102(e)</li> </ol>   |   |   |  |

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| U.S. APPLICATION NO. (if known) 09/700806  | INTERNATIONAL APPLICATION NO. PCT/US00/30294 | ATTORNEYS DOCKET NUMBER P1735R1  |           |
| <p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5) ) :</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00</p> |  | <b>CALCULATIONS PTO USE ONLY</b> |           |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>  |  | \$ 860.00                        |           |
| <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>   |  | \$                               |           |
| CLAIMS   | NUMBER FILED                                 | NUMBER EXTRA                     | RATE      |
| Total claims   | - 20 =                                       |                                  | X \$18.00 |
| Independent claims   | - 3 =  |                                  | X \$80.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |  | + \$270.00                       | \$        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |  | \$ 860.00                        |           |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |  | \$                               |           |
| <b>SUBTOTAL =</b>  |  | \$ 860.00                        |           |
| <p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>  |  | \$                               |           |
| <b>TOTAL NATIONAL FEE =</b>  |  | \$ 860.00                        |           |
| <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>  |  | \$                               |           |
| <b>TOTAL FEES ENCLOSED =</b>   |  | \$ 860.00                        |           |
|  |  | <b>Amount to be refunded:</b> \$ |           |
|  |  | <b>charged:</b> \$               |           |
| <p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 07-0630 in the amount of \$ 860.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.</p>   |  |                                  |           |
| <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>  |  |                                  |           |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p>GENENTECH, INC.<br/>1 DNA Way<br/>South San Francisco, CA 94080-4990</p>   |  |                                  |           |
| <p><br/> <b>SIGNATURE:</b><br/>         Steven X. Cui<br/> <b>NAME:</b><br/>         44,637<br/> <b>REGISTRATION NUMBER:</b></p>  |  |                                  |           |

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**CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10**

**EV 016026473 US : Express Mail Number**  
**March 12, 2002 : Date of Deposit**

**I hereby certify that this Transmittal Letter to the United States Designated/Elected Office; Combined Declaration for Patent Application and Power of Attorney; Recordation Form Cover Sheet; Assignment Document as well as the Certificate re: Sequence List; Sequence Diskette and Sequence Listing paper copy are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, DC 20231.**



Carol Koehler